

REMARKS

Applicant's invention provides apparatus, method and media for various levels of protection against reproduction of data, for example, as set forth in pending claims 18-22, as amended, and in newly submitted claims 23-32 provided herein.

The Invention

In accordance with the invention, as set out in claim 18 for example:

(a) medium protection data are supplied to a reproduction apparatus via a data medium;

(b) apparatus protection data (generated by the reproduction apparatus itself) include a first set of data which cannot be altered by a user of the reproduction apparatus and are specific to a country or region, and a second set of data which can be altered by the user;

(c) a protection level is defined by the reproduction apparatus, based on a combination of the medium protection data and the apparatus protection data;

(d) the operation of the reproduction apparatus is controlled in accordance with that protection level.

Such a combination of features provides the following results and advantages.

Firstly, due to the fact that the protection level is defined on the basis of a combination of the medium protection data with the recited form of apparatus protection data (i.e., including a first set of country-specific data that cannot be altered by a user of the reproduction apparatus), it becomes possible to narrowly define a protection level in

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accordance with the requirements of a particular country or region in which a specific reproduction apparatus is to be utilized.

This is a highly valuable feature since, for example, due to differing cultural and legal requirements in the various countries and regions of the world, there are widely varying degrees of restrictions upon the types of video material which may be reproduced. With the present invention, it becomes unnecessary to provide respectively different sets of medium protection data (e.g., rating data) on VCR cassettes, DVD's, etc., which are to be exported to various different countries.

Such an improvement is made possible by the invention because reproduction restriction will be automatically applied within each country or region by determining a protection level based on the aforementioned first set of data within the apparatus protection data, in combination with the second set of apparatus protection data, and the medium protection data that is recorded on each video tape cassette or DVD. As described in the specification of the present application, such a first set of country specific data would typically be stored in a ROM within the reproduction apparatus, and would thus be very readily adapted to a mass production process in which reproduction devices are manufactured for export to various different countries.

The Official Action

In the pending Official Action, the Examiner notes a number of informalities. The present amendment corrects the informalities noted by the Examiner and provides a

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proposed drawing change to add reference numeral 5 to drawing Fig. 11.

Moreover, the Official Action rejects each of the claims under 35 USC 102(b) over Kilbel, U.S. Patent 5,214,556, of record in the parent application.

Applicant respectfully traverses the rejection for the following reasons.

It is first noted that nowhere in the Kilbel reference is there any disclosure or suggestion of provision of apparatus protection data that is specific to a country or region and which cannot be modified by a user of the reproduction apparatus.

The Action asserts that Figs. 2, 5 and 8-10 of the '556 reference provide a VCR protection system that is the same as specified in applicant's claims 18-22.

However, as shown in Figs. 9 and 10 of the reference, the rating information of the label 56 is detected by the sensor 50, and the VCR playing operation is thereby controlled by the CPU 82 in accordance with the contents of the rating information. When this occurs, the operation of the protection circuit can be modified by the action of the switches 84, 86, 88, 90 and 95. The effect of such a switch setting operation may be said to correspond to user modification of the second set of data of the apparatus protection data.

However, such modification does not in any way relate to the *first set of data* in the apparatus protection data, e.g., ROM-stored data, which is clearly recited at claim 18, line 8 for example (prior to the present amendment) as data which "cannot be modified by a user".

Addressing the rejection in greater detail, it is noted that in rejecting claims 18 to 22 the Examiner asserts (page 4, paragraph 10), that "Kilbel ... discloses a VCR protection

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system ... comprising a first set of data (Fig. 8).....such that the first set of data cannot be modified by a user of the reproduction apparatus,.....the first set of data being specific to a region or country (U.S.) in which the reproduction apparatus 10 is to be used”.

Applicant respectfully submits that this assertion finds no support in, and is not justified by, the contents of the Kilbel disclosure.

Medium-specific data, such as the data shown in Fig. 8 of Kilbel, are recorded in some form on a tape cassette, and thus basically correspond to the medium protection data of the present invention. However, such data do not in any way correspond to the part of the apparatus protection data which: 1) is country-specific; 2) cannot be altered by the user, and 3) which is generated by the apparatus.

Claim 18 of the present application recites, for example, “A reproduction apparatus.....the apparatus comprising.....means for generating apparatus protection data comprising a first set of data...such that said first set of data cannot be modified by a user.....said first set of data being specific to a region or country in which said reproduction apparatus is to be used”.

Such a “first set of data” as recited by applicant is clearly unrelated to the information illustrated in Fig. 8 of Kilbel, which is printed on a label of a VCR cassette (or equivalent information which might be recorded on the magnetic tape), and hence basically corresponding to the medium protection data of the present invention.

To summarize the differences between the Kilbel invention and the present

invention, these can be expressed as follows:

the present invention:

restriction of reproduction is applied based upon a combination of [medium protection data] + [apparatus protection data {(first set of data, non-alterable by user, e.g., stored on ROM) + (second set of data, alterable by user)}]

the Kilbel reference:

restriction of reproduction is applied based upon a combination of [medium protection data (i.e., rating information, recorded on label 56 of cassette 50 in Figs. 5, 8 of Kilbel)] + [set of data alterable by user (represented by settings of the switches 84, 86, 88, 95, 87 in Fig. 9 of Kilbel)]

Accordingly, it is submitted that the present invention is clearly distinguished from the Kilbel disclosure.

Inasmuch as a reference must teach each and every one of the limitations of a claim alleged to be anticipated thereby under 35 USC 102, and inasmuch as it has been clearly demonstrated that applicant's invention, as recited in the pending claims, clearly and unambiguously recites at least one feature which is not disclosed in the '556 reference applied thereto, it is respectfully submitted that reconsideration and withdrawal is in order of the rejection of applicant's claims over the '556 reference under 35 USC 102.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. In

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order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, the Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number if any further comments, questions or suggestions arise in connection with the application.

Respectfully submitted,

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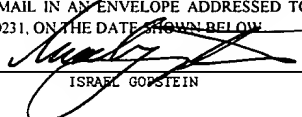
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Date: November 7, 2000
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